

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY MARCH 26, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 2560**

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**Introduced by Assembly Member Bonilla**

February 21, 2014

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An act to amend Section 44252 of the Education Code, relating to teacher credentialing.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2560, as amended, Bonilla. Teacher credentialing: ~~renewal applications~~: child abuse reporting.

Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of teaching credentials.

Existing law, the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined to include a teacher, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect.

This bill would require the commission, as part of its standards and procedures for *the issuance or* renewal of teaching or services credentials, to require an *initial or renewal* applicant who ~~renews~~ *submits an initial or renewal application for* his or her credential ~~online~~ *online, or an initial applicant who submits an application in paper form*, to read and attest by ~~an electronic~~ signature a statement that is substantially in a specified form that the applicant understands the duties

imposed on a holder of a teaching credential or a services credential by the Child Abuse and Neglect Reporting Act, as provided. The bill would also make nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44252 of the Education Code is amended  
2 to read:

3 44252. (a) (1) The commission shall establish standards and  
4 procedures for the initial issuance and renewal of credentials.

5 (2) (A) The commission shall require an *initial or renewal*  
6 applicant who ~~renews~~ *submits an initial or renewal application*  
7 his or her credential online, as part of the ~~renewal~~ *application*  
8 process, to read and attest by electronic signature a statement that  
9 the applicant for ~~renewal~~ *the credential* understands the duties  
10 imposed on a holder of a teaching credential or a services credential  
11 pursuant to the Child Abuse and Neglect Reporting Act (Article  
12 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of  
13 Part 4 of the Penal Code), including, but not limited to, the duty  
14 of a holder of a teaching credential or a services credential to report  
15 to any police department, sheriff's department, county probation  
16 department authorized to receive reports, or county welfare  
17 department, whenever he or she, in his or her professional capacity  
18 or within the scope of his or her employment, has knowledge of  
19 or observes a child whom the holder of a teaching credential or a  
20 services credential knows or reasonably suspects has been the  
21 victim of child abuse or neglect.

22 (B) *The commission shall require an initial applicant who*  
23 *submits an application in paper form, as part of the application*  
24 *process, to read and attest by signature a statement that the*  
25 *applicant understands the duties imposed on a holder of a teaching*  
26 *credential or a services credential pursuant to the Child Abuse*  
27 *and Neglect Reporting Act (Article 2.5 (commencing with Section*  
28 *11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code),*  
29 *including, but not limited to, the duty of a holder of a teaching*  
30 *credential or a services credential to report to any police*  
31 *department, sheriff's department, county probation department*  
32 *authorized to receive reports, or county welfare department,*

1 *whenever he or she, in his or her professional capacity or within*  
2 *the scope of his or her employment, has knowledge of or observes*  
3 *a child whom the holder of a teaching credential or a services*  
4 *credential knows or reasonably suspects has been the victim of*  
5 *child abuse or neglect.*

6 ~~(B)~~

7 (C) The statement described in ~~subparagraph (A)~~ subparagraphs  
8 (A) and (B) shall be substantially in the following form:

9  
10 “As a documentholder authorized to work with children, it is  
11 part of my professional and ethical duty to report every instance  
12 of child abuse or neglect known or suspected to have occurred to  
13 a child with whom I have professional contact.

14 I understand that I must report immediately, or as soon as  
15 practicably possible, by telephone to a law enforcement agency  
16 or a child protective agency, and will send a written report and  
17 any evidence relating to the incident within 36 hours of becoming  
18 aware of the abuse or neglect of the child.

19 I understand that reporting the information regarding a case of  
20 possible child abuse or neglect to an employer, supervisor, school  
21 principal, school counselor, coworker, or other person is not a  
22 substitute for making a mandated report to a law enforcement  
23 agency or a child protective agency.

24 I understand that the reporting duties are individual and no  
25 supervisor or administrator may impede or inhibit my reporting  
26 duties.

27 I understand that once I submit a report, I am not required to  
28 disclose my identity to my employer.

29 I understand that my failure to report an instance of suspected  
30 child abuse or neglect as required by the Child Abuse and Neglect  
31 Reporting Act under Section 11166 of the Penal Code is a  
32 misdemeanor punishable by up to six months in jail or by a fine  
33 of one thousand dollars (\$1,000), or by both that imprisonment  
34 and fine.

35 I acknowledge and certify that as a documentholder, I will fulfill  
36 all the duties required of a mandated reporter.”

37  
38 (b) The commission shall not issue initially a credential, permit,  
39 certificate, or renewal of an emergency credential to a person to  
40 serve in the public schools unless the person has demonstrated

1 proficiency in basic reading, writing, and mathematics skills in  
2 the English language as provided in Section 44252.5 or ~~Section~~  
3 44252.7. The commission shall exempt the following persons from  
4 the basic skills proficiency test requirement:

5 (1) A person credentialed solely for the purpose of teaching  
6 adults in an apprenticeship program.

7 (2) An applicant for an adult education designated subject  
8 credential for other than an academic subject.

9 (3) A person credentialed in another state who is an applicant  
10 for employment in a school district in this state who has passed a  
11 basic skills proficiency examination administered by the state  
12 where the person is credentialed.

13 (4) A person credentialed in another state who is an applicant  
14 for employment in a school district in this state who has passed a  
15 basic skills proficiency examination that has been developed and  
16 administered by the school district offering that person  
17 employment, by cooperating school districts, or by the appropriate  
18 county office of education. School districts administering a basic  
19 skills proficiency examination under this paragraph shall comply  
20 with the requirements of subdivision (h) of Section 44830. The  
21 applicant shall be granted a nonrenewable credential, valid for not  
22 longer than one year, pending fulfillment of the basic skills  
23 proficiency requirement pursuant to Section 44252.5.

24 (5) An applicant for a child care center permit or a permit  
25 authorizing service in a development center for the handicapped,  
26 so long as the holder of the permit is not required to have a  
27 baccalaureate degree.

28 (6) The holder of a credential, permit, or certificate to teach,  
29 other than an emergency permit, who seeks an additional  
30 authorization to teach.

31 (7) An applicant for a credential to provide service in the health  
32 profession.

33 (8) An applicant who achieves scores on the writing, reading,  
34 and mathematics sections of the College Board SAT Reasoning  
35 Test, the enhanced ACT Test, or the California State University  
36 Early Assessment Program that are sufficient to waive the English  
37 placement test and the entry level mathematics examination  
38 administered by the California State University.

39 (9) An applicant for an eminence credential to be issued pursuant  
40 to Section 44262.

1 (c) (1) The Superintendent shall adopt an appropriate state test  
2 to measure proficiency in these basic skills. In adopting the test,  
3 the Superintendent shall seek assistance from the commission and  
4 an advisory board. A majority of the members of the advisory  
5 board shall be classroom teachers. The advisory board also shall  
6 include representatives of school boards, school administrators,  
7 parents, and postsecondary educational institutions.

8 (2) The Superintendent shall adopt a normed test that the  
9 Superintendent determines will sufficiently test basic skills for  
10 purposes of this section.

11 (3) The Superintendent, in conjunction with the commission  
12 and approved teacher training institutions, shall take steps  
13 necessary to ensure the effective implementation of this section.

14 (d) This section does not require the holders of, or applicants  
15 for, a designated subjects special subjects credential to pass the  
16 state basic skills proficiency test unless the requirements for the  
17 specific credential required the possession of a baccalaureate  
18 degree. The governing board of a school district, or the governing  
19 board of a consortium of school districts, or the governing board  
20 involved in a joint powers agreement, which employs a holder of  
21 a designated subjects special subjects ~~credential~~ *credential*, shall  
22 establish its own basic skills proficiency criteria for the holders of  
23 these credentials and shall arrange for those individuals to be  
24 assessed. The basic skills proficiency criteria established by the  
25 governing board shall be at least equivalent to the test required by  
26 the district, or in the case of a consortium or a joint powers  
27 agreement, by any of the participating districts, for graduation  
28 from high school. The governing board or boards may charge a  
29 fee to individuals being tested to cover the costs of the test,  
30 including the costs of developing, administering, and grading the  
31 test.

32 (e) The commission shall compile data regarding the rate of  
33 passing the state basic skills proficiency test by persons who have  
34 been trained in various institutions of higher education. The data  
35 shall be available to members of the public, including to persons  
36 who intend to enroll in teacher education programs.

37 (f) (1) Each applicant to an approved credential program, unless  
38 exempted by subdivision (b), shall take the state basic skills  
39 proficiency test in order to provide both the prospective applicant  
40 and the program with information regarding the proficiency level

1 of the applicant. Test results shall be forwarded to each California  
2 postsecondary educational institution to which the applicant has  
3 applied. The program shall use test results to ensure that, upon  
4 admission, each applicant receives appropriate academic assistance  
5 necessary to pass the state basic skills proficiency test. Persons  
6 residing outside the state shall take the test no later than the second  
7 available administration following their enrollment in a credential  
8 program.  
9 (2) It is the intent of the Legislature that applicants for admission  
10 to teacher preparation programs not be denied admission on the  
11 basis of state basic skills proficiency test results.